

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

CHUOLJOCK LIA, JAMES TAP LIA, )  
NYAWAI TUT, NYAPAIN LIA, and )  
NYAGAI LIA, )

Plaintiffs, )

v. )

UNKNOWN NEWTON, Director, )  
UNKNOWN LEE, Captain, )  
UNKNOWN FRIKE, Sergeant, )  
J.L. DAVIS, and B. SMITH )

Defendants. )

8:07CV89

**MEMORANDUM  
AND ORDER**

This matter is before the court on its own motion. Four individuals named as plaintiffs in the complaint failed to sign the complaint: Nyagai Lia, James Lia, Nyapain Lia, and Nyawai Tut. They were given notice on April 18, 2007, that if they did not sign the complaint within 15 days the complaint could be struck from the record. (See docket entry 9.) They have not submitted a signed complaint. I will strike the complaint as to those plaintiffs.

In addition, Chuoljock Lia, the only plaintiff to sign this complaint, has failed to pay the filing fee as required in this court's March 23, 2007 order (filing 7). I will dismiss the complaint without prejudice for failure to pay the filing fee and failure to comply with the court's order. Chuoljock Lia, who was incarcerated at the time this complaint was filed, remains liable for payment of the filing fee in this action.

For the foregoing reasons,

IT IS ORDERED:

1. The complaint is stricken as to Nyagai Lia, James Lia, Nyapain Lia, and Nyawai Tut for failure to comply with the court's April 18, 2007 notice to sign the complaint ;
2. Pursuant to the court's order in filing 7, Fed. R. Civ. P. 41, and NECivR 41.1, the complaint is dismissed without prejudice for failure to pay the filing fee and failure to comply with the court's March 23, 2007 order;
3. Chuoljock Lia remains liable for payment of the filing fee in this action; and
4. Judgment shall be entered by separate order.

August 3, 2007

BY THE COURT:

**s/Joseph F. Bataillon**  
Chief District Judge